

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO.: 5:10-CV-245-H

SED, INC. OF SOUTH CAROLINA
D/B/A SED GAMING,

Plaintiff,

v.

SWORDFISH AMUSEMENTS, LLC, AND
JOHN DOES 1-5

Defendants.

ORDER & JUDGMENT

This matter is before the court pursuant to Rule 68(a) of the Federal Rules of Civil Procedure on plaintiff's motion for entry of judgment [DE #37]. This action was commenced by plaintiff on June 16, 2010, and process was duly served on defendant Swordfish Amusements, LLC, ("defendant Swordfish") on June 28, 2010. On or about November 21, 2011, defendant Swordfish offered in writing to allow plaintiff to take judgment against it in the amount of \$100,000 for all damages, including, but not limited to, attorneys' fees and costs, and any interest accrued at the time of the offer. Within the time prescribed by Rule 68(a), plaintiff filed and served its

written acceptance of defendant Swordfish's offer. The court therefore GRANTS plaintiff's motion for entry of judgment.

Pursuant to Rule 68(a), it is hereby **ORDERED, ADJUDGED and DECREED** that plaintiff, SED, Inc. of South Carolina shall have and recover of defendant Swordfish Amusements, LLC, the total sum of \$100,000 for damages, attorneys' fees and costs, and any interest accrued as of the date of the offer. Plaintiff may commence post-judgment discovery, as appropriate, in accordance with Rule 69(a)(2) of the Federal Rules of Civil Procedure.

This 30th day of November 2011.

A handwritten signature in black ink, appearing to read "Malcolm J. Howard", is written over a horizontal line.

MALCOLM J. HOWARD
Senior United States District Judge

At Greenville, NC
#31